

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter which Applicant regards as the invention.

Claims 1–3 and 5 have been amended. Claims 4 and 6 have been canceled.

Claims 1–6 stand rejected under 35 U.S.C. 102(b) as being anticipated by Shibata et al. (U.S. Pub. No. 2001/004269 A1). For at least the following reasons, the Examiner's rejection is respectfully traversed.

Shibata does not disclose or teach "in a state when said position detecting section detects that said first and second housing are initially unfolded at an angle of at least about 90°, an operation of said first image pick-up section is started" as recited in amended claim 1.

Shibata discloses that when the angle of the opening/shutting axis 31 is 90° and the rotation axis has no rotation, the axial unit state sensor 55 detects that the flip unit 20 is to the front for a telephone function (Paragraph 0245; Steps 1406–1407 on Fig. 14). Shibata also discloses that when the angle of the opening/shutting axis 31 is 90° and the rotation axis 32 is rotated at 90°, the axial unit state sensor 55 detects that the two photographic lenses 33, 23 are directed in the inverse direction for one of the functions of a TV telephone, a digital video camera, or a digital still camera (Paragraph 0246; Steps 1408–1409 on Fig. 14).

However, Shibata fails to disclose or teach when the axial unit state sensor detects that the main unit and flip unit are initially unfolded, an operation of the first photographic lens is started. Therefore, Shibata does not disclose or teach when the position detecting section detects that the first and second housing are initially unfolded at an angle of about 90°, an operation of

the first image pick-up section is started. Thus, Shibata does not disclose or teach all the elements of the claimed invention.

With regards to claim 3, Shibata does not disclose or teach “in a state where said first and second housings are unfolded and said first image pick-up section is operating, when said position detecting section detects that the first housing is turned at angle of at least about 90° to said second housing, the operation of said first image pick-up section is stopped and an operation of said second image pick-up section is started” as recited in claim 3.

As mentioned previously, Shibata fails to disclose or teach when the axial unit state sensor detects that the main unit and flip unit are initially unfolded, an operation of the first photographic lens is started. Since the Shibata first photographic lens is not operating when the main unit and flip unit are unfolded, the operation of the Shibata first photographic lens is not *stopped* prior to starting an operation of the second photographic lens. Therefore, Shibata fails to disclose or teach in a state where the first and second housings are unfolded and the first image pick-up section is operating, when the position detecting section detects that the first housing is turned at angle of about 90° to the second housing, the operation of the first image pick-up section is stopped and an operation of the second image pick-up section is started. Thus, Shibata does not disclose or teach all the element of the claimed invention.


With regard to claim 5, Shibata does not disclose or teach “in a state where said first and second housings are unfolded at an angle of about 90°, said first housing is turned at an angle of about 90° to the second housing, and said second image pick-up section is operating, when said position detecting section detects that said first and second housings are changing in a direction to be unfolded, an operation of said second image pick-up section is stopped and the operation of said first image pick-up section is started” as recited in claim 5.

As mentioned previously, Shibata discloses when the angle of the opening/shutting axis 31 is 90° and the rotation axis 32 is rotated at 90°, the axial unit state sensor 55 detects that the two photographic lenses 33, 23 are directed in the inverse direction for one of the functions of a TV telephone, a digital video camera, or a digital still camera (Paragraph 0246; Steps 1408–1409 on Fig. 14). However, Shibata does not teach that the second photographic lens is *stopped* and the operation of the first photographic lens is *started*, when the axial unit state sensor detects that the main unit and flip unit are changing in a direction to be unfolded. Therefore, Shibata does not disclose or teach all the elements of the claimed invention.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36193.

Respectfully submitted,  
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